

PATENT
Attorney Docket 060616-5001-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Fanie Retief Van Heerden *et al.*)
)
Application No. 10/073,357) Group Art Unit: 1623
)
Filed: February 13, 2002) Examiner: Devesh Khare
)
For: **Pharmaceutical Compositions Having**)
Appetite Suppressant Activity)

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NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES

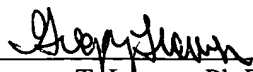
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated November 5, 2003 (Paper No. 11) of the Examiner finally rejecting claims 1-12, 14-21 and 23-27.

The Commissioner is hereby authorized to charge **\$330.00** to Deposit Account No. 50-0310 for payment of the Notice of Appeal fee as set forth on the accompanying transmittal form.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **May 5, 2004**
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202-739-3000

Respectfully submitted,
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